

**ENTERED**

August 20, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

CARLOS MORELAND,

Plaintiff,

VS.

DON'SHAY MCCOY, *et al*,

Defendants.

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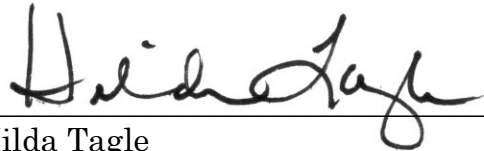
CIVIL NO. 2:18-CV-269

**ORDER**

The Court is in receipt of Plaintiff's Motion for Declaratory Judgment, Dkt. No. 24, and the Magistrate Judge's Memorandum and Recommendation ("M&R"), Dkt. No. 37. No objections to the M&R were filed by Plaintiff.

After independently reviewing the filings, the record, and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 37. Accordingly, the Court **DISMISSES AS MOOT** Plaintiff's deliberate indifference claims seeking injunctive relief against Defendants in their official capacities, and **DENIES AS PREMATURE** Plaintiff's Motion for Declaratory Judgment, Dkt. No. 24. All other claims are retained.

SIGNED this 19th day of August, 2019.



Hilda Tagle  
Senior United States District Judge